

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: Ingrid Allen, Planner II

SUBJECT: Quasi Judicial Hearing: Variance, V 7-2-06 Davis, 6070 Griffin Road,
Generally located on the southside of Griffin Road at the eastside corner of SW
61st Avenue.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM: V 7-2-06 Davis, 6070 Griffin Road (Griffin Corridor District, EGZ)

REPORT IN BRIEF: The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone, to reduce the minimum to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3.

The subject property currently meets the minimum parcel requirements to develop a bed & breakfast. However, it is the petitioner’s desire to develop the subject property as a two story multi-use building in compliance with the permitted uses (See Exhibit 3) of the “Other” Use Group category of the Eastern Gateway Zone #3.

Prior to the adopted 1990 rewrite of the Land Development Code, the subject property was zoned B-2 which required a minimum lot area of 65,000 sq. ft, a lot frontage of 200 ft. and a lot depth of 200 ft. The existing property, at that time, had a minimum lot area of 41,268 sq. ft., a lot frontage of 181 ft. and a lot depth of 228 ft. The property could have been rezoned to a less restrictive Commercial Business District, notably B-1, which required a minimum lot area of 43,500 sq. ft., a lot frontage of 150 ft. and a lot depth of 200 ft.

After the 1990 rewrite of the Land Development Code, Section 12-38, Nonconforming Lots, was inserted into the Land Development Code (See Applicable Codes and Ordinances). This section established that a building may be erected on a nonconforming lot given that the erection of a building(s) was permissible prior to the adoption of the 1990 rewrite of the Land Development Code. In the case of the subject property, the erection of a building was permissible prior to the 1990 rewrite of the Code (noted above) and therefore a building could be erected on the existing nonconforming lot.

Subsequently in 1996, the property was subject to a Florida Department of Transportation taking which reduced the subject property’s minimum lot area to 27,220 sq. ft.

The adoption of the Griffin Corridor District on February 2, 2000 rezoned the subject property from B-2 to Eastern Gateway Zone #3 which requires a minimum lot area of 65,000 sq. ft, a lot frontage of 250 ft. and a lot depth of 250 ft.

Based on the minimum parcel requirements for the B-1 zoning district applicable prior to the 1990 rewrite of the Land Development Code, the subject property does meet both the minimum lot frontage

and lot depth but still does not meet the minimum lot area, hence the requirement for a minimum lot area variance.

PREVIOUS ACTIONS: At the November 15, 2006 Town Council meeting, V 7-2-06 was tabled to December 20, 2006 (Motion carried 5-0).

CONCURRENCES: At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s): Planning Report, Justification letter, Survey, Permitted/restricted/prohibited uses of the Eastern Gateway Zone, Future Land Use Plan Map, Zoning and Aerial Map

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation

Applicant Information

Owner

Name: Jack Davis, Trustee & Lawrence Jay Davis, Trustee
Address: 1601 North Flamingo Road
City: Pembroke Pines, FL 33028
Phone: (954) 437-3444

Petitioner:

Name: Lawrence Jay Davis
Address: 1601 North Flamingo Road
City: Pembroke Pines, FL 33028
Phone: (954) 437-3444

Background Information

Date of Notification: October 18, 2006

Number of Notifications: 58

Application Request: **FROM:** Section 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the "Other" Use Group category in the Eastern Gateway Zone **TO:** Reduce the minimum to 27,220 square feet for permitted uses under the "other" use group category in the Eastern Gateway Zone.

Address/Location: 6070 Griffin Road/Generally located on the southside of Griffin Road at the eastside corner of SW 61st Avenue.

Future Land Use

Plan Map Designation: Commercial

Zoning: Griffin Corridor District, Eastern Gateway Zone #3 (EGZ)

Existing Use: Vacant

Proposed Use: A two story multi-use building in compliance with the permitted uses under the Eastern Gateway Zone #3 (See Exhibit 3)

Parcel Size: 27,220 square feet

**Surrounding Future Land
Use Plan Map**

Designations:

Recreation/Open Space
Commercial
Commercial
Regional Activity Center

Surrounding Uses:

North: Canal (C-11)
South: Kentwood Preparatory school
East: Single family dwelling (proposed Trotter Chase)
West: Office Building (Nova SE University)

Surrounding Zoning:

North: N/A
South: Griffin Corridor District, Eastern Gateway Zone (EGZ)
East: Griffin Corridor District, Eastern Gateway Zone (EGZ)
West: Griffin Corridor District, Downtown Zone (DZ)

Zoning History

Related Zoning History: The property was rezoned from B-2 to Griffin Corridor District (Eastern Gateway Zone #3) on February 2, 2000. (Ord. No. 2000-007)

Application Details

The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone, to reduce the minimum to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3. The petitioner has submitted documentation (see Exhibit 1) indicating that the subject property is in compliance with the provisions outlined in Section 12-38 (Nonconforming Lots) of the Land Development Code.

Applicable Codes and Ordinances

DIVISION 2. GENERAL REGULATIONS

§12-309(B)(1) of the Land Development Code, review for variances.

§12-32.300 Griffin Corridor District

§12-32.306 Minimum Parcel Requirements (Eastern Gateway Zone), requires the following minimums for “Other” Use Group: lot area of 65,000 square feet, 250’ lot frontage, 250’ lot depth.

§12-38 Nonconforming lots. A principal building and customary accessory buildings may be erected on a single lot, tract or parcel of land, notwithstanding limitations imposed by other provisions of these regulations, if:

- (1) The erection of such building(s) was permissible prior to the adoption of these regulations (“these regulations” is in reference to Ord. No. 90-4); and
- (2) The single lot, tract or parcel of land was shown on a recorded map, plat, drawing or survey prior to the adoption of these regulations, or, in the case of lands zoned RR district, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; or
- (3) The single lot, tract or parcel of land was shown on a plat, drawing or survey, which was registered with the Department of Business Regulation, Division of Florida Land Sales, prior to the effective date of the adoption of these regulations, or in the case of lands zoned RR District, occurred prior to the date of adoption of the applicable Broward County zoning regulations in effect at the time of annexation; and

(4) The single lot, tract or parcel of land shall meet the minimum property development regulations, except minimum lot size requirements, that are generally applicable in the district, except as may be provided through the granting of a variance pursuant to Article X. (Ord. No. 90-4).

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Staff Analysis

The petitioner is requesting a variance from 12-32.306 (A) of the Land Development Code Griffin Corridor District, Minimum Parcel Requirements, which requires a minimum lot area of 65,000 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3, to reduce the minimum lot area to 27,220 square feet for permitted uses under the “Other” Use Group category in the Eastern Gateway Zone #3.

The adoption of the Griffin Corridor District created four (4) zones each reflecting unique locational uses, and development standards. The subject property currently meets the minimum parcel requirements to develop a bed & breakfast. However, it is the petitioner’s desire to develop the subject property as a two story multi-use building in compliance with the permitted uses (See Exhibit 3) of the “Other” Use Group category of the Eastern Gateway Zone #3.

The subject property existed prior to the adopted 1990 rewrite of the Land Development Code. At that time, the subject property was zoned B-2 which required a minimum lot area of 65,000 sq. ft, a lot frontage of 200 ft. and a lot depth of 200 ft. The existing property had a minimum lot area of 41,268 sq. ft., a lot frontage of 181 ft. and a lot depth of 228 ft. The subject property could have been rezoned to a less restrictive Commercial Business District, notably B-1, which required a minimum lot area of 43,500 sq. ft., a lot frontage of 150 ft. and a lot depth of 200 ft.

After the 1990 rewrite of the Land Development Code, Section 12-38, Nonconforming Lots, was inserted into the Land Development Code (See Applicable Codes and Ordinances). This section established that a building may be erected on a nonconforming lot given that the erection of a building(s) was permissible prior to the adoption of the 1990 rewrite of the Land Development Code.

Subsequently in 1996, the property was subject to a Florida Department of Transportation taking which reduced the subject property’s minimum lot area to 27,220 sq. ft.

The adoption of the Griffin Corridor District on February 2, 2000 rezoned the subject property from B-2 to Eastern Gateway Zone #3 which requires a minimum lot area of 65,000 sq. ft, a lot frontage of 250 ft. and a lot depth of 250 ft.

Based on the minimum parcel requirements for the B-1 zoning district applicable prior to the 1990 rewrite of the Land Development Code, the subject property does meet both the minimum lot frontage and lot depth but still does not meet the minimum lot area, hence the requirement for a minimum lot area variance.

Findings of Fact

Variances:

Section 12-309(B) (1):

The following findings of facts apply to the variance request:

- (a) There are not special circumstances or conditions applying to the land or building for which the variance is sought;

The 27,220 square foot subject property does meet the minimum parcel requirements to develop a bed & breakfast that would not require a variance. However, the petitioner's desire is to develop the site in accordance with the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3 rather than develop the subject property as a bed & breakfast.

which circumstances or conditions are not peculiar to such land or building and do apply generally to land or buildings in the same district;

The required 65,000 sq. ft. minimum lot area applies equally to parcels within the Griffin Corridor District, Eastern Gateway Zone #3(EGZ) .

and that said circumstances or conditions are not such that the strict application of the provisions of this chapter would not deprive the application of the reasonable use of such land or building for which the variances are sought;

The subject property can be reasonably used without a variance. The original intent of the Griffin Corridor District is that smaller parcels be developed as bed & breakfasts'.

and that alleged hardship is self-created by any person having an interest in the property.

The need for the variance is created by the owner's desire to develop the subject property in accordance with the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3.

- (b) The granting of the variance is not necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

Currently, the subject property can be reasonably used as a bed & breakfast, however the request is the minimum needed to allow the parcel to be developed as one of the permitted uses of the "Other" Use Group category within the Eastern Gateway Zone #3.

- (c) Granting of the requested variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The intent of the Land Development Code is to allow an interpretation to be made where there is a just balance between the rights of the landowner and all others who will be affected by that person's proposal. Allowing the minimum lot area to be reduced to 27,200 sq. ft and allowing development in accordance with the permitted uses under the "Other" Use Group category for the Eastern Gateway

Zone#3 will be in harmony with adjacent corridor commercial uses. The intent of the Griffin Corridor District is to “promote planned developments rather than haphazard speculative development that compromises the integrity of the corridor and the economic health of the Town”. The petitioner will be required to develop the subject property in compliance with the permitted uses of the “Other” Use Group category for the Eastern Gateway Zone #3 and comply with the landscaping and development standards of the Griffin Corridor District.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

Planning and Zoning Board Recommendation

At the October 25, 2006 Planning and Zoning Board meeting, Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve V 7-2-06. (Motion carried 5-0).

Town Council Action

Exhibits

1. Justification letter
2. Survey
3. Permitted, restricted and prohibited uses of the Eastern Gateway Zone
4. Future Land Use Plan Map
5. Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____

LAWRENCE JAY DAVIS, P.A.

Exhibit 1

ATTORNEY AND COUNSELOR AT LAW

1601 NORTH FLAMINGO ROAD
SUITE ONE
PEMBROKE PINES, FLORIDA 33028-1004
954 • 437 • 3444 PHONE
954 • 430 • 5141 FAX
LARRY@LJDPA.COM E-MAIL
WWW.LJDPA.COM WEBSITE

September 27, 2006
Hand Delivered

Ingrid M. Allen
Planning and Zoning Division
Town of Davie
6591 Orange Drive
Davie, Florida 33314

Re: Variance Request for 6070 Griffin Road, Davie, FL- V-7-2-06

Dear Ms. Allen:

This letter shall serve as a formal request for your office to consider applying Section 12-38 of the Davie Code, entitled "Nonconforming Lots", to the property referred to above. According to Section 12-38, so long as the property complies with subsections (1) and (2) or (3), as well as subsection (4), a building may be built notwithstanding limitations imposed by the Code.

Pursuant to your request, I am enclosing a copy of the boundary survey of the property before the State of Florida Department of Transportation taking as well as the Warranty Deed from the previous owners, Jerrold E. Shaffner and Donald V. Shaffner to the State of Florida Department of Transportation pursuant to the 1996 partial taking.

Regarding subsection (1), section 20-114 "Minimum Regulations" of the Town Code prior to the adoption of the Griffin Corridor District ordinance shows the minimum lot size for B-1 zoning classification was 43,500 square feet. The subject property, prior to the State of Florida Department of Transportation taking, was approximately 41,300 square feet which is nearly five percent (5%) less than the minimum. Arguably the lot would have been large enough to construct any approved improvements within the B-1 classification since the parcel would have met the minimum frontage (150 feet) and minimum depth (200 feet). Therefore no variance should be required.

Subsection (2) is satisfied by reference to the subject property in the Plat of Everglades Lands Sales Co., Sub. "A", as recorded in Plat Book 2, Page 34 of the Public Records of Dade County, Florida. Finally, subsection (4) is satisfied by the accepted definition of minimum lot size/area in the Town ordinances.




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Ingrid M. Allen
Town of Davie
September 27, 2006
Page Two of Two

Therefore, no variance appears to be required and I hereby request a refund of the sum of \$1,860.00 previously paid for the matter. In the event you determine that a variance is required, kindly refund the sum of \$930.00 for the inapplicable second variance.

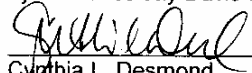
Sincerely,


Lawrence Jay Davis, Esq.
For the Firm

Copy to: Jack Davis, Trustee
LJD\ps

State of Florida
County of Broward

The foregoing letter was acknowledged before me this 27th day of September, 2006 by Lawrence Jay Davis who is personally known to me.


Cynthia L. Desmond
Notary Public State of Florida
My Commission Number Is:
My Commission Expires:



CYNTHIA L. DESMOND
MY COMMISSION # DD 187111
EXPIRES: March 14, 2007
Bonded Thru Budget Notary Services

Affix Notarial Seal

96-287216 T8004
05-01-96 09:29AM

01-GMD, 01-06/93

This instrument prepared
under the direction of: *MA-24*
Laurice C. Mayes, Esq.
Legal description prepared by:
NVena Widner (7-1-94)
Department of Transportation
3600 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

Parcel 125.1
Section 86015-2506
S.R. No. 818
County: BROWARD

WARRANTY DEED

THIS WARRANTY DEED Made the 23 day of April, 1996
by JEROME E. SHAFNER, a married man and DONALD V. SHAFNER, an
unmarried man, as tenants in common, whose address is: 4751 Cypress
Road #106, Plantation, Florida 33317, grantor, to the STATE OF
FLORIDA DEPARTMENT OF TRANSPORTATION, grantee: (whenever used herein
the terms "grantor" and "grantee" include all the parties to this
instrument and the heirs, legal representatives and assigns of
individuals and the successors, and assigns of organizations).

WITNESSETH: That the grantor, for and in consideration of the
sum of \$1.00 and other valuable considerations, receipt and
sufficiency being hereby acknowledged, hereby grants, bargains, sells,
aliens, remises, releases, conveys and confirms unto the grantee, all
that certain land situate in BROWARD County, Florida, viz:

PARCEL NO. 125

SECTION 86015-2506

That part of Tract 60, EVERGLADE LAND SALES CO. SUBDIVISION, Section
26, Township 50 South, Range 41 East, according to the plat thereof,
recorded in Plat Book 2, Page 34 of the Public Records of Dade County,
Florida, lying in Broward County, Florida, being more particularly
described as follows:

COMMENCE at the Southwest corner of said Section 26; thence
North 01°37'33" West along the West line of the Southwest one-quarter
of said Section 26, a distance of 1065.62 feet to a point on the
Baseline of Survey for State Road 818 (Griffin Road) as shown on the
Florida Department of Transportation Right of Way Map for Section
86015-2506; thence North 88°21'44" East along said Baseline of Survey,
a distance of 1,528.97 feet; thence South 01°38'16" East, a distance of
69.59 feet to a point on the Southerly Existing Right of Way line
for said State Road 818 (Griffin Road) and the POINT OF BEGINNING;
thence South 01°40'22" East, a distance of 38.91 feet; thence
South 88°21'44" West, a distance of 153.67 feet; thence
South 47°33'07" West, a distance of 36.09 feet to a point on the
Easterly Existing Right of Way line for S.W. 61st Avenue; thence
North 01°40'22" West along said Easterly Existing Right of
Way line, a distance of 82.34 feet to a point on the said Southerly
Existing Right of Way line for State Road 818 (Griffin Road); thence
North 88°18'50" East along said Southerly Existing Right of Way line,
a distance of 161.00 feet to the POINT OF BEGINNING.

Containing 10,971 square feet, more or less.

This is not homestead property.

TOGETHER with all tenements, hereditaments and appurtenances
thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the
grantor is lawfully seized of said land in fee simple; that the
grantor has good right and lawful authority to sell and convey said
land; that the grantor hereby fully warrants the title to said land
and will defend the same against the lawful claims of all persons
whomsoever; and that said land is free of all encumbrances.

*Return to DUTC/O Leaky Service, Inc.
4175 SW 66th Ave, Suite 110
Dav: e, FL 33314*

→ FEE ITEM
RETURN TO
FRONT RECORDING

1860042181238

2
JH

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in
the presence of: (Two witnesses
required by Florida Law)

Name: David H. Way

Name: Armand M. Ruzin

Name: David H. Wo

Name: Arthur M. Russett

Name: JERROLD E. SHAFNER

Donald V. Shaffner
Name: DONALD V. SHAFFNER

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23 day of April, 1996, by JERROLD E. SHAFFNER, a married man and DONALD V. SHAFFNER, an unmarried man as Tenants in common, who is personally known to me or who has produced FL Drivers License # 1 S 156-42524-162 as identification.

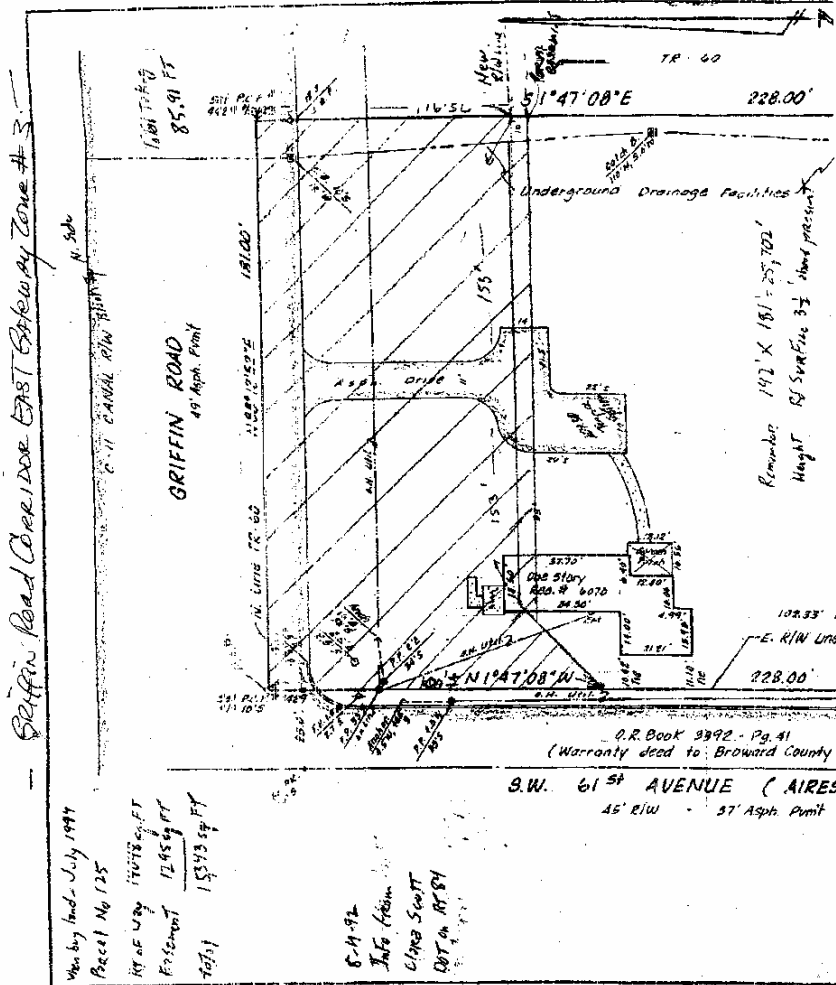
David H. Day
Notary Public in and for the
County and State last aforesaid.
My Commission Expires:
Serial No., if any:

Notary Public in and for the
County and State last aforesaid.
My Commission Expires: _____
Serial No., if any: _____

[illegible]

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BAYWATER COUNTY, FLORIDA
COUNTY ADMINISTRATOR

BK 24812 PG09B2



1. RECORD AND MEASURED CALLS ARE IN SUBSTANTIAL AGREEMENT. 2. REPAIRS, IF SHOWN, ARE BASED ON (121-21) PLAT DATA. 3. THE LINES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDS. 4. UNDERGROUND PORTIONS OF FORTRESSES, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. 5. ELEVATIONS ARE BASED ON NATIONAL GEODETIC DATUM. 6. FENCE TIES ARE TO THE CENTERLINE OF THE FENCE. 7. WALL TIES ARE TO THE FACE OF THE WALL.

10. POINTS TO SET
I HEREBY CERTIFY THAT THE SURVEY MEETS THE TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 467.027, FLORIDA STATUTES.

LEGEND

CONCRETE
CHAM LICK OR
WIRE FENCE
WOOD FENCE
MASSONRY WALL
WALL - WATER METER, F.P. - POWER POLE
F.C. - FENCE CORNER, H.C. - HURDLE

962 9334

962 2411

Secs. 20-108, 20-109. Reserved.

**ARTICLE XIV. NEIGHBORHOOD BUSINESS
DISTRICT B-1**

Sec. 20-110. Purpose of district; applicable regulations.

The B-1 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the local neighborhood shopping and personal service needs of a limited surrounding residential area. Retail stores permitted herein are intended to include mainly convenience goods which are usually a daily necessity for a residential neighborhood.

The following regulations shall apply in all B-1 Districts.

Sec. 20-111. Uses permitted.

- (a) Retail stores and personal services.
- (b) Offices or studios.
- (c) Agricultural uses such as cultivation of crops, groves, thoroughbred and pleasure horses, fish breeding areas, tree and plant nurseries and cattle ranches, until such time as the area is converted to an urban use.
- (d) Animal hospital and veterinary clinics.
- (e) Uses accessory to any of the above permitted uses.

Sec. 20-112. Uses prohibited.

- (a) Automobile, truck, trailer, motorcycle, boat or machinery sale, storage or service, including repair garages, used car lots, service stations and auto laundries.
- (b) Drive-in restaurants and refreshment stands.
- (c) Lumber or building materials storage or display.
- (d) Plumbing, electrical or sheet metal shops.
- (e) Cabinet or carpenter shops.

Supp. No. 22

- (f) Storage or warehouse uses except as incidental to a permitted use.
- (g) Theaters, nightclubs and establishments for consumption of alcoholic beverages on premises.
- (h) Pawnshops.
- (i) Wholesale establishments.
- (j) Mortuaries.
- (k) Light, medium or heavy industrial uses.
- (l) Kennels.
- (m) Commercial recreation.

Sec. 20-113. Maximum regulations.

- (a) Height: Two (2) stories or thirty (30) feet.
- (b) Building coverage: Forty (40) per cent.
- (c) Floor area: Five thousand (5,000) square feet.
- (d) Paved area: Forty (40) per cent.

Sec. 20-114. Minimum regulations.

- (a) Net plot area: Forty-three thousand five hundred (43,500) square feet.
- (b) Frontage: One hundred fifty (150) feet.
- (c) Lot depth: Two hundred (200) feet.
- (d) Setbacks: Fifteen (15) feet on sides abutting residentially zoned properties and twenty (20) feet adjacent to public or private rights-of-way.
- (e) Floor area: Five hundred (500) square feet.
- (f) Distance between buildings on the same lot: Eight (8) feet.
- (g) Open space: Twenty (20) per cent of total net plot area.

Supp. No. 22

Exhibit 2

DATE JANUARY 16, 2004

PIONEER SURVEYORS, INC. - 7744 TAFT STREET - PEMBROKE PINES, FL. - 33024 - 954-962-9334 FAX - 954-962-3411

Permitted, restricted and prohibited uses of the Eastern Gateway Zone (Exhibit 3)

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
COMMUNITY FACILITY USE GROUP					
Civic Center	P	N	P	N	P
Governmental Bldgs./Municipal	P	N	P	N	P
Public Service Uses	P	N	P	P	P
Hospitals	N	N	N	N	R(17)
Library, Museum	P	P	P	N	P
Schools, Educational Institutions	N	R(1)	N	N	N
Public Park	P	P	P	P	P
Special Residential Facility	R(2)	N	R(2)	R(2)	P
OFFICE AND RESEARCH USE GROUP*					
Banks, Financial	P	P	P	P	P
Contractor, office only	N	R(4)	N	P	N
General Office	P	R(5)	P	P	P
Medical Clinic	P	R(5)	P	P	P
Doctor's Office	P	R(5)	P	P	P
Real Estate Office	P	R(5)	P	P	P
Sales Office	P	R(5)	P	P	P
Laboratory, incl. Medical Lab	P	N	P	P	P
Research Facility	P	N	P	P	P
Motion Picture Studio	R(7)	N	R(7)	R(7)	R(7)
Radio or TV Station	R(7)	N	R(7)	R(7)	R(7)

*Laboratories and Research Facilities require Commerce/Office land use plan designation. The majority of the corridor is designated Commercial by the land use plan, however, for parcels not designated Commercial, use of the residential to commercial flexibility rule or a land use plan amendment may be required.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
RETAIL, SERVICES, AND ENTERTAINMENT USE GROUP*					
RETAIL USES:					
Automotive Parts Sales	N	N	N	N	N
Antique, Craft Shops	R(8)	P	P	N	P
Art Gallery	R(8)	P	P	N	P
Bookstores, Newsstands	R(8)	P	P	R(9)	P
Convenience Store	N	N	N	R(9)	R(11)
Florist, Plant Shop	R(8)	P	P	N	P
Gift Shops	R(8)	P	P	N	P
Office Equipment Sales	R(8)	P	P	P	P
Pawnshop	N	N	N	N	N
Pharmacy	R(8)	P	P	P(9)	P
Photographic Supplies	R(8)	P	P	N	P
Video Rental	R(8)	P	P	N	P
Retail Sales, other	R(8)	P	P	N	P
PERSONAL SERVICE USES:					
Barber/Beauty Shops	R(8)	P	P	N	P
Dry Cleaning (pick-up only)	R(8)	P	P	R(9)	P
Massage Therapist	R(8)	P	P	R(9)	P
Tailor	R(8)	P	P	R(9)	P
Shoe Repair	R(8)	P	P	R(9)	P
Tanning Salons	R(8)	P	P	N	P
Laundromat	N	N	N	N	N
Personal Services, other	R(8)	P	P	N	P
GENERAL SERVICE USES:					
Animal Hospital	R(10)	N	R(10)	R(10)	P
Athletic/Health Clubs, Gyms	R(8)	P	R(8)	N	P
Catering Hall	R(6)	R(6)	R(6)	N	R(6)

Nursery, Child Care	P	P	P	P	P
Photocopying, Printing Service	R(8)	P	P	P	P
ENTERTAINMENT USES:					
Adult Facilities	N	N	N	N	N
Game Room, Arcade	R(15)	R(15)	R(15)	N	R(15)
Movie Theater, Performing Arts	N	N	N	N	R(11)
Pool Rooms	N	N	N	N	N
Private Clubs	N	N	P	N	P
Art Studio	R(8)	P	P	N	P
Dance Instruction Studio	P	P	P	N	P
Music Instruction Studio	P	P	P	N	P
Photographic Studio	P	P	P	N	P
Bakery, Delicatessen	R(8)	P	P	R(9)	P
Bars, Lounges	R(15)	P	R(15)	N	R(15)
Night Club	N	P	N	N	R(11)
Restaurant, Fast Food	N	N	N	R(9)	R(11)
Restaurant, Standard	R(8)	P	P	N	P

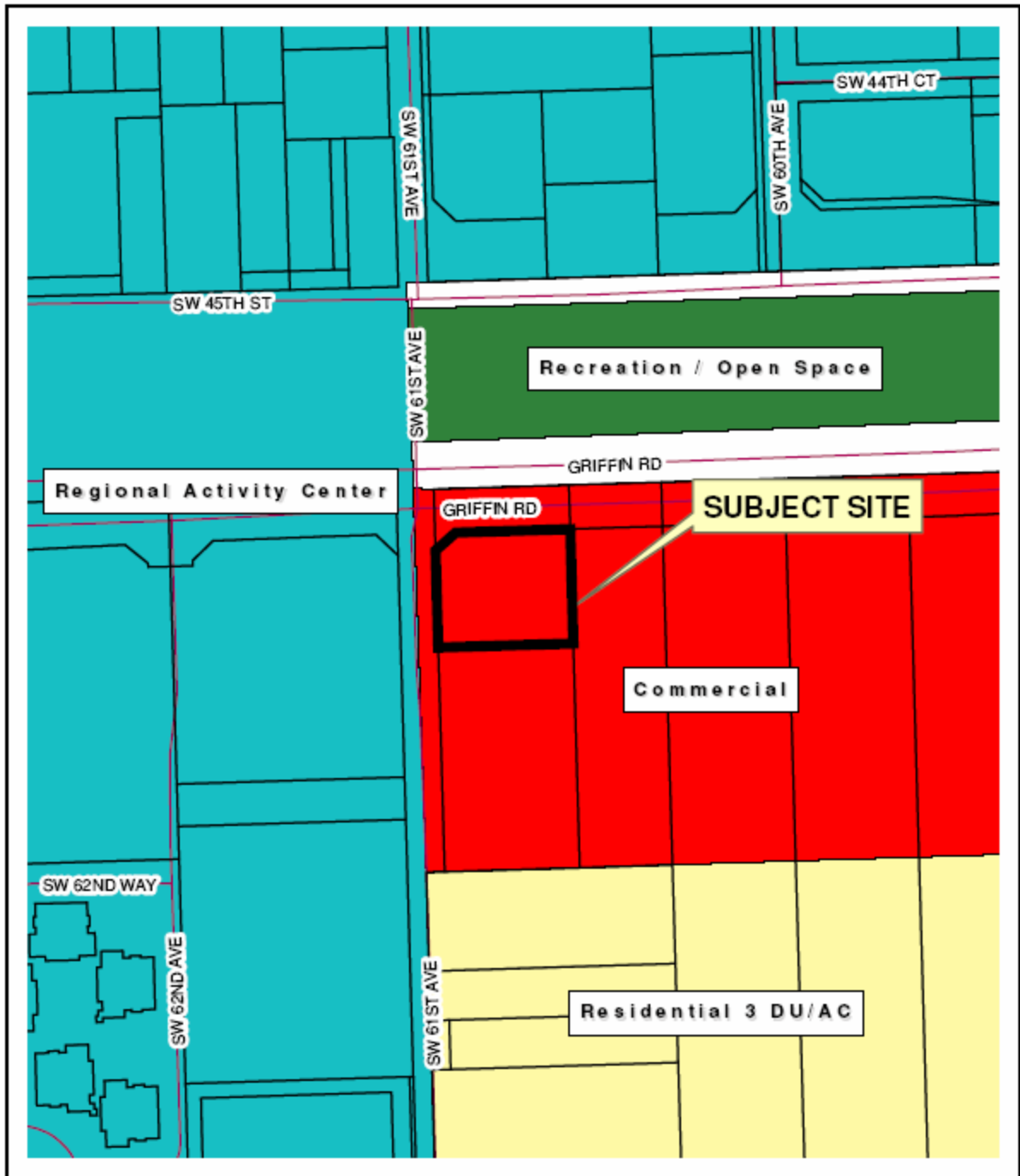
*The majority of the corridor is designated Commercial by the land use plan, however, for parcels not designated Commercial, use of the residential to commercial flexibility rule or a land use plan amendment may be required.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
AUTOMOTIVE SERVICE USE GROUP					
Car Wash	N	N	N	N	R(11)
Motor Fuel Pump	N	N	N	N	R(11)
Service Stations	N	N	N	N	N
Truck, Auto, Trailer, Utility	N	N	N	N	N

Rental					
Vehicle Customizing	N	N	N	N	N
Vehicle, Boat, Truck Repair, Major	N	N	N	N	N
Vehicle Repair, Minor	N	N	N	N	N
Vehicle Towing	N	N	N	N	N
Vehicle, Boat, Truck Sales	N	N	N	N	N
LODGING USE GROUP*					
Bed and Breakfast Accommodations	R(6)	R(6)	R(6)	N	N
Hotels	N	N	N	P	R(16)

*Within a Residential land use plan designation, the maximum number of rooms is double the number of dwelling units permitted by the applicable plan designation. Within nonresidential plan designations which permit lodging uses, there is no density limitation.

	Gateway West	Downtown	Gateway East	Griffin Commerce	
USE GROUP/USE	Zone 1	Zone 2	Zone 3	Zone 4	Nodes
MISCELLANEOUS USES GROUP					
Telecom Apparatus	R(14)	N	R(14)	R(14)	R(14)
Mobile Home, RV Sale	N	N	N	N	N
Parking Lot, Rental	N	P	P	N	R(11)
ACCESSORY USES	R(3)	R(3)	R(3)	R(3)	

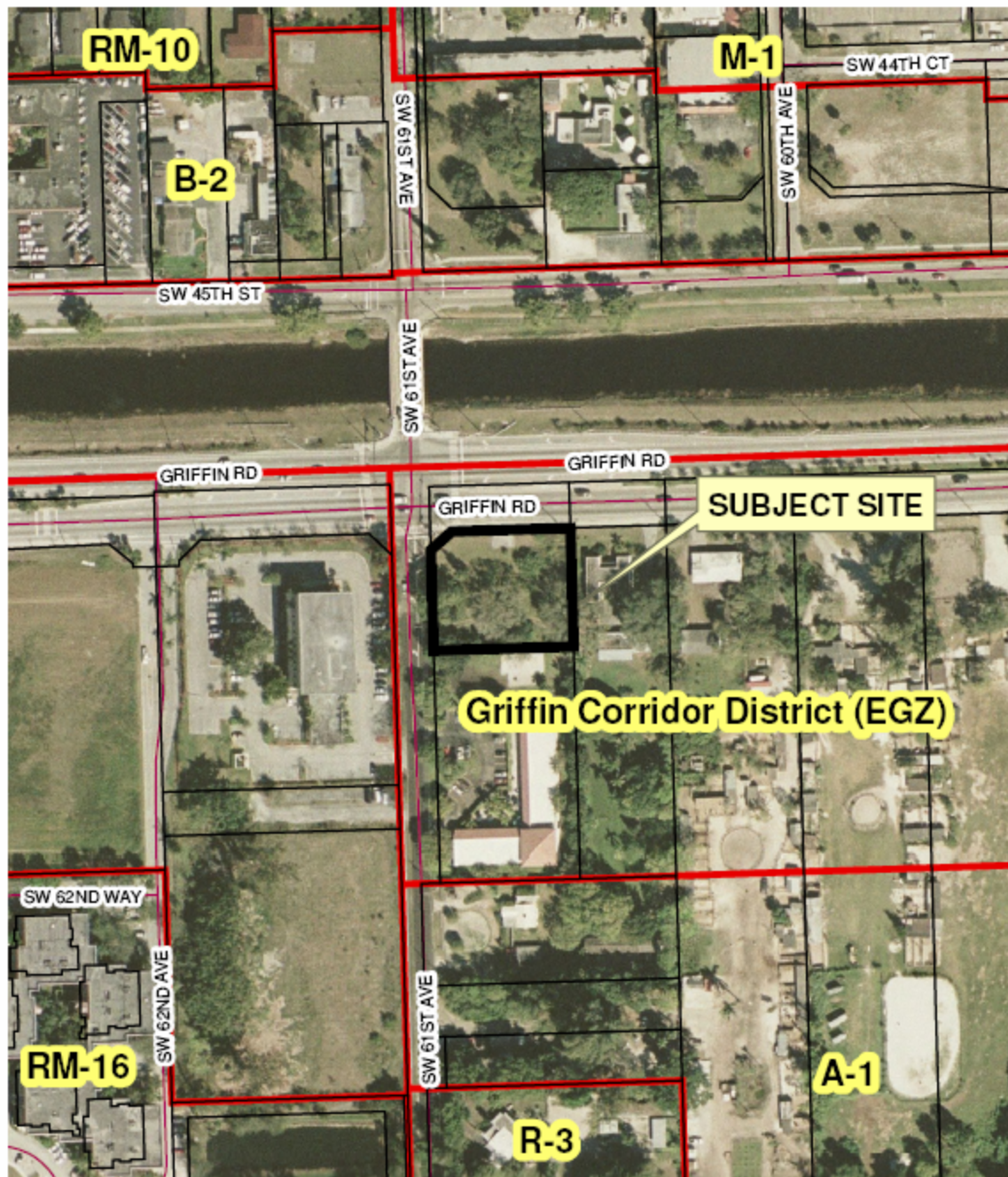


0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

Variance V 7-2-06 Future Land Use Map

Prepared by: ID
Date Prepared: 9/21/08



Date Flown:
12/2004



0 100 200 400 Feet

Prepared by the Town of Davie GIS Division

Variance V 7-2-06 Zoning and Aerial Map

Prepared by: ID
Date Prepared: 9/21/08